



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2005 Wisconsin Act 351**  
[2005 Senate Bill 579]

**Caregiver Background Information**

Currently, certain entities that provide direct care or treatment services must obtain certain background information regarding prospective caregivers. In addition, every four years the entity must obtain updated background information regarding its caregivers, and must require its caregivers to complete a background information form provided by the Department of Health and Family Services (DHFS) every four years.

Under the Act, if an entity requires its caregivers to disclose, in writing, to the entity any criminal conviction or criminal charge and notifies its caregivers of the disclosure requirements annually, the entity need not require its caregivers to complete the background information form provided by the DHFS. The entity must notify its caregivers annually of this disclosure requirement. Under the amendment, this alternative to completing the background information form every four years does not apply to caregivers who are licensed, issued a certificate of approval, certified, or registered, by DHFS, to nonclient residents, and to other persons specified by DHFS by rule, for whom the entity must send the background information form to DHFS. Also, the Act provides that failure of the caregiver to report a criminal charge or conviction subjects the caregiver to a civil penalty.

**Effective Date:** The Act takes effect on May 3, 2006.

**Prepared by:** Laura Rose, Deputy Director

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.